

MEETING MINUTES

MILPITAS PLANNING COMMISSION
Milpitas City Hall, Council Chambers
455 E. Calaveras Blvd., Milpitas, CA

Wednesday, October 11, 2017

I. PLEDGE OF ALLEGIANCE

Chair Mandal called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

II. ROLL CALL/ SEATING OF ALTERNATE

Present: Chair Mandal, Vice Chair Madnawat, Commissioners Sandhu, Morris, Maglalang, Mohsin, Chua

Absent: Ciardella (excused)
Alternate Member Chua was seated for voting.

Staff: Bradley Misner, Katy Wisinski, Sarah Fleming

III. PUBLIC FORUM

Chair Mandal invited members of the audience to address the Commission and there were no speakers.

IV. APPROVAL OF MEETING MINUTES

Chair Mandal called for approval of the September 27, 2017 meeting minutes of the Planning Commission.

Motion to approve Planning Commission meeting minutes.

Motion/Second: Commissioner Sandhu/Commissioner Chua

AYES: 7

NOES: 0

ABSTAIN: 0

V. ANNOUNCEMENTS

Planning Director Bradley Misner announced that New Business Item X-1 is being continued to the next meeting, as he would like all commissioners to be present.

VI. CONFLICT OF INTEREST

Deputy City Attorney Katy Wisinski asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

There were no reported conflicts.

VII. APPROVAL OF AGENDA

Chair Mandal asked if staff or Commissioners had changes to the agenda and Item X-1 was continued.

Motion to approve the October 11, 2017 agenda as amended.

Motion/Second: Commissioner Sandhu/Commissioner Chua

AYES: 7

**VIII. CONSENT
CALENDAR
NO ITEMS**

IX. PUBLIC HEARING

IX-1 808 S. MAIN STREET – TENTATIVE PARCEL MAP, SITE DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT AND ENVIRONMENTAL ASSESSMENT – MT16-0001; SD16-0002; UP16-0013, EA17-0006: An application for a Tentative Parcel Map, Site Development Permit, Conditional Use Permit and related environmental analysis for the development of 27 residential condominium units and one 1,787 square foot commercial condominium unit on a 1.09 acre site in the Milpitas Midtown Specific Plan area.

Project Planner Sarah Fleming showed a presentation and discussed the project. She said there were added conditions of approval (COAs) to address noise, air quality, and railway hazardous materials related to the railroad.

The City's Traffic Engineer recommended a lane modification changing the traffic configuration heading northbound on South Main Street due to the location of the bus stop and on street parking spaces. The engineer requested making the right lane a right turn only lane.

One comment letter was received from the owner of 800 South Abel Street Unit 301 in opposition of the project and Ms. Fleming read the letter to the commissioners.

Commissioner Morris asked if the lower level of the project is commercial or residential. Ms. Fleming said it is a mixed use project with a commercial component on the corner and residential above and around it.

Mr. Misner said in the Milpitas Midtown Specific Plan (MMSP) the area of Main near Serra Way is the retail core of the area and where this project is located is outside where the primary retail core area is envisioned to occur.

Commissioner Sandhu said he was a Planning Commissioner when the MMSP was approved and he feels the small amount of commercial space in this project does not serve the intent of the MMSP to have mixed use.

Vice Chair Madnawat said developers should be encouraged to install public art on site and asked what happens to the money paid to the public art fund. Ms. Fleming said it is the same concept as the parkland and affordable housing funds which are collected in a pool until the city is able to acquire an appropriate site or install public art.

Commissioner Maglalang asked how residents are prevented from parking in the street spaces. Ms. Fleming said that in order for the parking to be permitted on the street there are five tests it needs to go through to be recommended by staff and referred to page 9 of the staff report.

Commissioner Maglalang referred to policy 3.12 of the MMSP which encourages housing on upper levels and feels the entire ground level on South Main Street

should be retail. Ms. Fleming said in this area of midtown the project as proposed is permitted and in compliance with what is required.

Commissioner Chua would like to see commercial space on Main Street and said if projects such as these are allowed then the city will not see the real vision of the MMSP.

Commissioner Mohsin questioned what kind of input for design the commission can provide at this point. Mr. Misner said preferences in architectural styles would be made possible through the MMSP plan itself. In this instance, the architect started with a design theme and staff worked with them on revisions to enhance the building. There is money in the CIP this fiscal year for the update of the MMSP and when it is updated it will come to the commission for review, and that would be a good time for the conversation.

Ms. Wisinski said that with regard to the exercise tonight and Commissioner Mohsin's question of what the commission is at liberty to do, one of the findings the commission is being asked to make is whether the proposed project conforms to the intent and specific requirements of the MMSP including the development standards and the design guidelines. There are design guidelines in place right now and the task is to determine whether or not the proposed project meets the guidelines as they currently exist. With regard to future changes of guidelines, they would apply to separate future projects.

Chair Mandal is concerned with the traffic pattern and questioned how residents will turn south from the project on Main Street.

Brett Walinski from Hexagon Transportation Consultants was present. He said the greater midtown specific plan had its own traffic study for the entire area which cleared, environmentally, this project along with all accumulative projects that were contemplated at that time. Hexagon did the traffic impact study specific to this project and their focus for this study was just this project and a few things around the site.

Mr. Walinski said one can legally turn left across the lanes that are there but it is more likely that residents will exit the project from Curtis Avenue. He said there are not a lot of trips going in and out of the project's driveways and does not believe there will be cues coming from them, and spoke of traffic levels of service and traffic delays and said there should be no noticeable issues.

Commissioner Morris asked if slanted parking was considered. Mr. Walinski said he did not look at angled parking, and although one of the benefits is more parking spaces it can be dangerous for bicyclists.

Chair Mandal had questions about the landscaping plan. Ms. Fleming said seven trees will be removed and replaced with 37 trees, which is a 5:1 replacement ratio.

Daniel Sell, Director of Architecture for Barry Swenson Builder, was present.

Commissioner Chua asked Mr. Sell if he had considered converting the residential units on the ground level of South Main Street into commercial space with residential space located above. Mr. Sell said the MMSP has a requirement to have commercial space but no specific requirements of size or square footage.

Commissioner Maglalang said there is a vision to have a downtown in Milpitas, and he is concerned with the lack of commercial space as he feels this project is a partial gateway to the downtown area. He would like to see the ground floor residential units on South Main Street converted to retail space.

Vice Chair Madnawat noted the cover sheet of the MMSP showing sidewalks with people sitting outside eating, and residential units above the space, and said it is the intent of the plan to have a downtown area. He believes there is too little commercial space included in this project.

Chair Mandal opened the public hearing and there were no speakers.

Motion to close the public hearing.

Motion/Second: Commissioner Mohsin/Commissioner Sandhu

AYES: 7

NOES: 0

Ms. Wisinski requested a 10 minute break.

Ms. Fleming spoke with the applicant and they have requested a continuance, as they would like an opportunity to absorb the information received from the commissioners, go back and revisit their plans, and return with something more to the liking of the Planning Commission based on the input received.

Motion to continue this item to a future date.

Motion/Second: Vice Chair Madnawat/Commissioner Morris

AYES: 7

NOES: 0

X. NEW BUSINESS

X-1 OVERVIEW OF PLANNING AND ZONING APPLICATION PROCESSING

Item continued

XI. ADJOURNMENT The meeting was adjourned at 8:50 PM.

Motion to adjourn to the next meeting.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

*Meeting Minutes submitted by
Planning Commission Secretary Elia Escobar*